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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/437,908	11/09/1999	NILS ANDERSSON	GOTEP025US	8624
21121	7590	10/05/2004	EXAMINER	
OPPEDAHL AND LARSON LLP			SMITH, ZANDRA V	
P O BOX 5068			ART UNIT	
DILLON, CO 80435-5068			PAPER NUMBER	
			2877	

DATE MAILED: 10/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/437,908	<b>Applicant(s)</b> ANDERSSON, NILS	
	<b>Examiner</b> Zandra V. Smith	<b>Art Unit</b> 2877	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 June 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 17-107 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 22-65, 68-102 and 104-107 is/are allowed.
- 6) ☒ Claim(s) 1, 66 and 103 is/are rejected.
- 7) ☐ Claim(s) 18-21 and 67 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>8/16/2004</u> . | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

The request filed on 30 June 2004 for a Request for Continued Examination (RCE) is acceptable and an RCE has been established. An action on the RCE follows.

#### *Information Disclosure Statement*

The information disclosure statement filed 16 August 2004 has been placed in the application file, and the information referred to therein has been considered.

#### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 17 is rejected under 35 U.S.C. 102(b) as being anticipated by *Lill et al.*

**(4,130,362).**

As to **claim 17**, Lill discloses an apparatus for determining steering positions of the front wheels of a vehicle that includes aligning a first plane 10) with a second plane (11), comprising:

a device comprising a main part (40), a light source (100) and a plurality of contact points (26), wherein the contact points are connected to the main part and attach the main part to the first plane (col. 5, lines 5-10), the light source is connected to the main part of the device in a position to emit a scattered light beam having a first scattering angle in one direction and a smaller scattering angle in other directions (col. 5, lines 50-55,), wherein the scattering plane is parallel to the plane of the first plane.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 66 and 103 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Lill et al. (4,130,362)*.

As to **claim 66**, Lill discloses everything claimed, as applied above, with the exception of magnetic contact points, however Lill does provide a detachable mounting mechanism (col. 4, line 50). It would have been obvious to one having ordinary skill in the art at the time of invention to use magnets since the rim of a wheel is typically metallic and since providing magnets would provide secure attachment without causing damage upon removal.

As to **claim 103**, Lill discloses everything claimed, as applied above, with the exception if a laser light source, however Lill does provide illumination using a multiple diode source (col. 4, line 39). Since a laser and light emitting diodes are functionally equivalent, it would have been obvious to one having ordinary skill in the art at the time of invention to use a laser in the place of the diodes as a means to provide illumination.

***Allowable Subject Matter***

Claims 22-65, 68-102, and 104-107 are allowed.

Claims 18-21 and 67 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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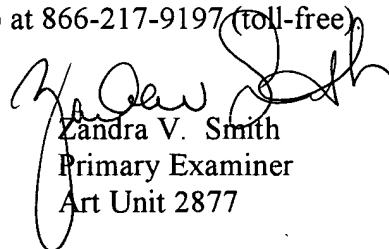
The following is a statement of reasons for the indication of allowable subject matter: the prior art of record, taken alone or in combination, fails to disclose or render obvious in a system for aligning one plane or pulley with a second plane or pulley that includes, displaceable contact points, an arm rotatable connected to the main part, indicator devices on the second plane, or pulleys with indicator devices, in combination with the rest of the limitations of claim.

***Fax/Telephone Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zandra V. Smith whose telephone number is (571) 272-2429. The examiner can normally be reached on 8:00 a.m. - 4:30 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory J. Toatley Jr. can be reached on (571) 272-2800 ext. 77. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Zandra V. Smith  
Primary Examiner  
Art Unit 2877

September 27, 2004